

**REMARKS**

1. Examiner has rejected claim 20 as being indefinite under 35 USC 112, second paragraph. Claim 20 has been amended to clarify meaning and remove any indefiniteness.
2. Examiner has rejected claims 17, 20-21 as being anticipated by the Kost reference. With respect, it is submitted that these claims are not anticipated by the Kost reference.

Claims 17, 20-21 are directed to a roof truss. The dictionary definition of truss is as follows:

*In architecture, a structural framework of wood or metal based on a triangular system, used to span, reinforce, or support walls, ceilings, piers, or beams.*  
(<http://www.ackland.org/tours/classes/glossary.html>)

In the present invention, the truss is a roof truss. Therefore, the claimed structure is intended to span across the tops of walls and support a roof. It is important to realize that a roof truss is typically prefabricated and is therefore a discrete structure. Also, a roof truss must be perpendicular to at least two walls. The walls support the truss, which in turn supports the roof.

The Kost reference does not teach roof trusses. Kost teaches wall structures. Wall structures are fundamentally different from roof trusses and cannot be considered equivalent. Examiner referred to Figure 12 and stated that element 23 is equivalent to a bottom chord and that element 2A is equivalent to the bottom plate. Element 23 is identified as a cross-beam. It is not part of a roof truss. Furthermore, element 2A is not a bottom plate. It is a top part of the wall framing unit.

The difference may be seen in that element 2A in Kost which Examiner has equated to the bottom plate runs perpendicular to the longitudinal axis of the roof truss. In

the case of the present invention, the bottom plate is parallel to such axis, because it is part of the truss. The parallel characteristic is a claimed limitation in claims 1 and 17.

The present invention is an improved roof truss, which adds the element of a bottom plate, disposed below the bottom chord. This is best seen in Figure 1 of the present invention. It is important to consider that the bottom plate is a separate element from the bottom chord, not part of the bottom chord.

5. Examiner has rejected claims 1-5, 7-11, 13-16 and 17 as being unpatentable over Laughlin (1,444,798) in view of Kost under 35 USC 103(a).

Examiner has indicated that elements 10 and 10' in Figure 1 of the Laughlin reference are equivalent to the bottom chord and bottom plate of the present invention.

Again, elements 10 and 10' are not part of the roof truss. Those elements are the top elements of the wall frame system. It is apparent that they form part only of the perimeter walls. As stated on page 2, line 43:

"Resting on plates 10 is a supporting member 26 which is designed to support both the ceiling joists 11 and the rafters 12.

Therefore, it is clear that plates 10 support the roof structure, *they are not part of the roof structure*. Furthermore, the roof supporting structure is a system of rafters (12) and joists (11). This does not disclose a roof truss system.

With respect, it is submitted that no *prima facie* case of obviousness may be made. neither Kost nor Laughlin teaches a roof truss, which is the object of the present claims. In particular, neither reference, either alone or in combination, teaches a truss having a bottom plate which is below and parallel to the bottom chord.

7. Examiner has rejected claims 1, 2 and 6 as being unpatentable over Laughlin in view of Thompson (6094880).

Applicant's comments regarding the Laughlin reference are repeated here. The Thompson reference does not describe a roof truss having a bottom chord and a bottom plate aligned in a parallel fashion. The two member shown vertically disposed and parallel in the Thompson reference are labelled with reference no. 23 (see Figure 6). Again, element 23 is designated a top plate of the wall structure. In Thompson, the roof truss is no. 24. As seen in Figure 7, the connector (10) is intended to attach the bottom of the roof truss to the top of the wall. In the present invention, the connectors attach one component of the roof truss to another component of the roof truss.

8. Examiner has rejected claim 12 as being unpatentable over Laughlin, in view of Kost and further in view of Boozer.

Claim 12 depends from claim 1 and is therefore also submitted to be free of the prior art.

9. Examiner's rejections in this Office Action indicate that there is a fundamental misunderstanding between the Applicant and the Examiner regarding the structure and function of wall structures and roof trusses.

Applicant respectfully requests a telephone interview with the Examiner and the Examiner's supervisor in order to clarify the misunderstanding.

## CONCLUSION

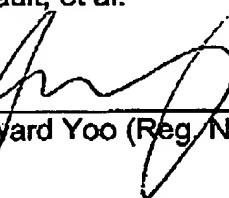
In view of the foregoing remarks and amendments, it is respectfully submitted that this application is in condition for allowance and allowance thereof is respectfully requested.

Respectfully submitted,

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By: \_\_\_\_\_

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